

FILED

DEC 19 2005

~~UNITED STATES DISTRICT COURT
BY *JR* DISTRICT OF ALASKA Deputy~~MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

WARD'S COVE PACKING CO. v. F/V HAZEL RENEE, et al.
 THE HONORABLE JOHN W. SEDWICK CASE NO. A97-0190 CV (JWS)
Deputy Clerk Official Recorder
Pam Richter

APPEARANCES: for PLAINTIFF: ----

for DEFENDANT: ----

PROCEEDINGS: **ORDER FROM CHAMBERS**

Plaintiff Wards Cove Packing Company ("WCP") obtained a judgment against defendants for a sum in excess of \$59,000 on March 6, 1998. In an effort to collect on the judgment, WCP levied on an account at a credit union belonging to judgment debtor Carl N. Gamechuck ("Gamechuk"). The levy resulted in the recovery of \$2,565.15 by WCP. At docket 56, Gamechuk has filed a claim for an exemption under state law as to \$1,750.00 of that sum. It appears that Gamechuk is most likely relying on AS 09.38.030(b) as the basis for his claim of exemption. Regardless of the basis for his claim of exemption, the court lacks information sufficient to determine the legitimacy of Gamechuk's claim of exemption, so it will be necessary to proceed as follows:

1. The court will hold a hearing at 8:00 AM on Wednesday, February 8, 2006, in Courtroom 3 of the United States District Court at 222 W. 7th Ave., Anchorage, Alaska.
2. In preparation for that hearing, the parties shall accomplish the following:

A. On or before January 20, 2006, Gamechuk shall file a written memorandum citing every statute upon which he relies in order to claim an exemption. His memorandum shall also state whether he wishes to participate in the hearing on February 8, 2006, in person or by telephone (at his expense). Gamechuk's memorandum must be accompanied by his affidavit or declaration subject to the penalty of perjury in which Gamechuk sets forth all

the facts upon which he relies to support his claim for an exemption.

B. On or before January 20, 2006, WCP shall file an affidavit or declaration from an appropriate individual which sets out the total amount of the original judgment, interest to date, the amount of all funds collected to satisfy the judgment and the outstanding balance due on the judgment.

3. If Gamechuk elects to participate by telephone he shall call (907) 677-6227 at 7:55 AM on February 8, 2006.

DATE: December 19, 2005

ENTERED AT JUDGE'S DIRECTION
INITIALS: prr
Deputy Clerk

A97-0190--CV (JWS) 12-19-05


K. STEARNS (BOYD)
C. GAMECHUCK